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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,070	07/10/2003	Matt Neville	FORS-08195	8224
23535	7590	06/02/2006	EXAMINER	
MEDLEN & CARROLL, LLP 101 HOWARD STREET SUITE 350 SAN FRANCISCO, CA 94105			JOHANNSEN, DIANA B	
			ART UNIT	PAPER NUMBER
			1634	

DATE MAILED: 06/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Examiner-Initiated Interview Summary	Application No. 10/617,070		Applicant(s) NEVILLE ET AL.	
	Examiner Diana B. Johannsen		Art Unit 1634	

All Participants:

(1) Diana Johannsen.

(2) Mary Ann Brow.

Date of Interview: 26 May 2006

Type of Interview:
☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No
 If Yes, provide a brief description:

Status of Application: pending

(3) _____

(4) _____

Time: N/A (telephonic)

Part I.

Rejection(s) discussed:
The restriction requirement mailed 23 February 2006 was discussed.

Claims discussed:
Group II claims (claims 11-17).

Prior art documents discussed:
N/A

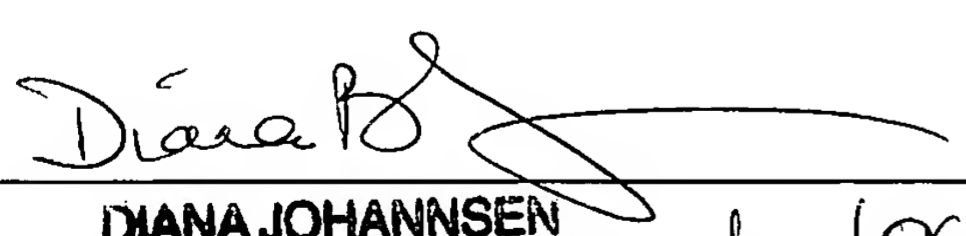
Part II.

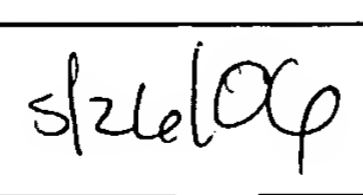
SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:
See Continuation Sheet

Part III.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.


DIANA JOHANNSEN
PRIMARY EXAMINER


N/A

(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Applicant's representative contacted the examiner and requested that she reconsider the secondary restriction requirement applied to Group II, noting that independent claim 11 is a generic claim that encompasses the detection of multiple CYP2D6 polymorphisms as well as CYP2D6 copy number, and that she did not believe the entire Group should be restricted to a single combination of alleles. After reviewing the claims and restriction requirement, the examiner contacted applicant's representative and indicated that she concurred that the further restriction applied to Group II in the action of 23 February 2006 was inappropriate given the language of claim 11 (which makes clear, e.g., that the polymorphic sequences of the claims share a common utility). The examiner indicated that the requirement would be modified in the next Office action, and that applicant's election (which has already been filed) would be treated as a species election, such that the examiner's search will be extended if prior art applicable to the elected species is not identified, and such that the full scope of claim 11 will be considered. Further, it was agreed that the examiner would contact applicant's representative upon receipt of her response, so as to provide applicant's representative the opportunity to file supplemental arguments and/or amendments in view of the modification of the restriction requirement. .